

Interlocal Agreement

THIS AGREEMENT, entered into by and between the following parties: Gadsden County, Leon County (a charter county), and Wakulla County, political subdivisions of the State of Florida; and the Big Bend Jobs and Education Council, Inc. d/b/a Workforce Plus (WORKFORCE) for the Local Workforce Investment Area comprise of the Gadsden, Leon, and Wakulla counties pursuant to Federal Public Law 105-220 (Workforce Investment Act of 1998 – Title I) and the State of Florida Workforce Innovation Act of 2000, as amended.

WITNESSETH that:

WHEREAS, Federal Public Law 105-220 (Workforce Investment Act of 1998 – Title I) enacted by the Congress of the United States and signed into Law by the President of the United States and the State of Florida Workforce Innovation Act of 2000, as amended, has developed a unified training system that will increase the employment, retention and earnings by participants, and as a result improve the quality of the workforce, reduce welfare dependency, and enhance productivity and competitiveness; and

WHEREAS, Workforce Investment Act of 1998 (WIA) requires the Governor to designate Local Workforce Investment Areas to promote the effective delivery of job training services and further provides that a consortium of general purpose local governments may constitute such an area; and

WHEREAS, the Board of County Commissioners of each of the parties to this agreement desires that its county be included in a regional job training program to avail its citizens of the benefits of WIA; and

WHEREAS, the Governor has designated the parties to this Agreement as a Workforce Development Region (WDR) for the purposes of the WIA; and

WHEREAS, the WIA requires the establishment of a Regional Workforce Development Board (RWDB) to provide policy guidance for, and exercise oversight with respect to, activities under the job training program for its workforce development region in partnership with the general purpose local governments (County Commissions) within its WDR; and

WHEREAS, the Board of County Commissioners of each of the parties to this Agreement desires that the RWDR created hereby be known as the WORKFORCE; and

WHEREAS, it is the responsibility of the Board of County Commissioners of each county in the WDR to appoint members to the WORKFORCE in accordance with the WIA and an Agreement entered into by the Board of County Commissioners of each county; and

WHEREAS, it is the responsibility of the WORKFORCE, in accordance with an agreement with the Board of County Commissioners of each county in the WDR, to determine procedures and policies so as to develop a WIA plan, and select a grant recipient, fiscal agent, administrative entity, and designate a One-Stop Operator.

WHEREAS, the Strategic Five – Year WIA Plan must be approved and submitted jointly by the WORKFORCE and the Region 5 Workforce Development Consortium (Gadsden, Leon and Wakulla County Commissions).

NOW, THEREFORE, the parties agree as follows:

1. Identification of Parties to this Agreement

Each of the parties to this Agreement is a county of the State of Florida, and as such are for general purposes political subdivisions that have the power to levy taxes and spend funds, as well as general corporate and police powers. The governing body of each of the parties to this Agreement is its Board of County Commissioners and each party to this Agreement is identified as follows:

Board of County Commissioners
Gadsden County, Florida

Board of County Commissioners
Leon County, Florida (a charter county)

Board of County Commissioners
Wakulla County, Florida

2. Geographical Area to be Served by this Agreement

The geographical areas, which will be served by this Agreement, are the entire geographical areas of each of the three (3) member counties, which geographical areas are legally described in Florida Law.

3. Size of the Population to be Served

The population of the three (3) county area to be served by this Agreement is 327,544 based upon the population projections for July 1, 2004; prepared by the Office of the Governor – Economic and Demographic Research, Tallahassee, Florida.

4. Agreement Not Prohibited by Law

State or local law does not prohibit this Agreement.

5. Affirmation, Composition, and Appointment of the Region Workforce Development Board (RWDB)

The WORKFORCE is constituted in accordance with the requirements of Section 117 of the WIA and the State of Florida Workforce Innovation Act of 2000. The WORKFORCE membership shall number thirty-five (35). Thereafter, the number of members of the RWDB shall be determined by the WORKFORCE, but must remain compliant with the WIA and the State of Florida Workforce Innovation Act of 2000, as amended.

A. Members shall be appointed for fixed terms and may serve until their successors are appointed. Terms of the WORKFORCE members shall be three (3) years. Any vacancy

in the membership of the WORKFORCE shall be filled in the same manner as the original appointment. Any member of the WORKFORCE may be removed for cause in accordance with procedures established by the WORKFORCE.

- B. A majority of the WORKFORCE shall be representative of the private sector, who shall be owners of businesses, chief executives, or chief operating officers of non-governmental employers, or other private sector executives who have substantial management or policy responsibility. The Chairman of the WORKFORCE shall be a representative of the private sector and shall be selected by the membership of the WORKFORCE.
- C. The private sector representatives on the WORKFORCE shall number nineteen (19) and shall be selected in the following manner:
 - 1) Nominations for the private sector seats shall be submitted to the respective County Commissions or their designee by local business organizations including local chambers of commerce, downtown merchants associations, area business associations, etc., but must be compliant with the WIA and State of Florida Workforce Innovation Act of 2000.
 - 2) Such nominations for the WORKFORCE shall be representative of the business community. In addition, the number of private sector seats appointed by the respective county commissions shall be apportioned as follows:
 - (a) Leon County Commission, eight (8);
 - (b) Gadsden County Commission, six (6); and
 - (c) Wakulla County Commission, five (5).
- D. Fifteen (15) of the remaining board membership is specified in the State of Florida Workforce Innovation Act of 2000.
 - 1) The following members are not nominated by the three (3) respective County Commissions or their designee, but are appointed as specified in the State of Florida Workforce Innovation Act of 2000:
 - (a) The President of the local community college (1);
 - (b) The public School Superintendents of Gadsden, Leon, and Wakulla counties (3);
 - (c) Three (3) economic development representatives nominated by the economic development agencies in Gadsden, Leon and Wakulla counties;
 - (d) One (1) Private School representative;
 - (e) Three (3) organized labor representatives; preference will be given to nominations by the local County Commissions;

- (f) Three (3) community-based organizations serving veterans and persons with disabilities; preference will be given to nominations by the local County Commissions;
 - (g) One (1) representative from the one-stop partners as selected by the One-Stop Consortium.
- E. Since the WORKFORCE is a combined board for WIA and the State of Florida welfare reform program, Work and Gain Economic Self-Sufficiency (WAGES), in order to be compliant with the WAGES Act of 1996, as amended, the following representatives are required. The following member is not nominated by the three (3) respective County Commissions or their designee: One (1) region wide representative for United Way.
- F. The number of voting members of the WORKFORCE shall be thirty-five (35). The voting membership shall consist of nineteen (19) Private Sector seats, three (3) Community-based Organization seats, three (3) Organized Labor seats, one (1) Community College seat, three (3) School Superintendent seats, three (3) Economic Development seats, seat, one (1) Private Post Secondary School seat, one (1) One-Stop Consortium seat, and one (1) United Way seat.

1. Private Sector – Gadsden County	Seat 1 – Three (3) Year Term
2. Private Sector – Gadsden County	Seat 2 – Three (3) Year Term
3. Private Sector – Gadsden County	Seat 3 – Three (3) Year Term
4. Private Sector – Gadsden County	Seat 4 – Three (3) Year Term
5. Private Sector – Gadsden County	Seat 5 – Three (3) Year Term
6. Private Sector – Gadsden County	Seat 6 – Three (3) Year Term
7. Private Sector – Leon County	Seat 7 – Three (3) Year Term
8. Private Sector – Leon County	Seat 8 – Three (3) Year Term
9. Private Sector – Leon County	Seat 9 – Three (3) Year Term
10. Private Sector – Leon County	Seat 10 – Three (3) Year Term
11. Private Sector – Leon County	Seat 11 – Three (3) Year Term
12. Private Sector – Leon County	Seat 12 – Three (3) Year Term
13. Private Sector – Leon County	Seat 13 – Three (3) Year Term
14. Private Sector – Leon County	Seat 14 – Three (3) Year Term
15. Private Sector – Wakulla County	Seat 15 – Three (2) Year Term
16. Private Sector – Wakulla County	Seat 16 – Three (2) Year Term
17. Private Sector – Wakulla County	Seat 17 – Three (3) Year Term
18. Private Sector – Wakulla County	Seat 18 – Three (3) Year Term
19. Private Sector – Wakulla County	Seat 19 – Three (3) Year Term
20. Tallahassee Community College President	Seat 20 – Three (3) Year Term
21. Gadsden County School Superintendent	Seat 21 – Three (3) Year Term
22. Leon County School Superintendent	Seat 22 – Three (3) Year Term
23. Wakulla County School Superintendent	Seat 23 – Three (3) Year Term
24. Economic Development (Gadsden County)	Seat 24 - Three (3) Year Term
25. Economic Development (Leon County)	Seat 25 - Three (3) Year Term
26. Economic Development (Wakulla County)	Seat 26 - Three (3) Year Term

27. One-Stop Consortium	Seat 27 - Three (3) Year Term
28. Private Post-Secondary School	Seat 28 - Three (3) Year Term
29. Community Based Organization	Seat 29 - Three (3) Year Term
30. Organized Labor	Seat 30 - Three (3) Year Term
31. Community Based Organization	Seat 31 - Three (3) Year Term
32. Organized Labor	Seat 32 - Three (3) Year Term
33. Community Based Organization	Seat 33 - Three (3) Year Term
34. Organized Labor	Seat 34 - Three (3) Year Term
35. United Way (Region-wide)	Seat 36 - Three (3) Year Term

6. Local Workforce Investment Area Designation

Pursuant to the designation by the Governor, the three (3) counties constituting the RWDB shall be a Local Workforce Investment Area (LWIA) as provided for in Section 116 of Title I of the WIA for the geographical area covered by this Agreement.

7. No Local Funds Required of Counties

No funds will be provided from the treasuries of any of the parties to this Agreement for implementation of the WIA, it being the intent, hereof, that all funding of the WIA shall be accomplished entirely by grants pursuant to the WIA and any other available State or Federal grants.

8. Termination/Duration of Agreement

This Agreement becomes effective upon the execution by all parties and shall have the duration equal to the period that the RWDB designation remains in effect for the geographical area covered by this Agreement. Any party to this Agreement may withdraw from, thereby terminating this Agreement by passing a resolution to such effect and giving thirty (30) day written notice to all parties.

9. Effective Date

This Agreement and any amendments hereto shall be effective between and among each county adopting this Agreement and any amendments hereto upon filing this Agreement and any amendments thereto with the Clerk of the Circuit Court in their respective county.

10. Amendment(s)

It is agreed that no modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith by all parties to this Agreement.

11. Notice

Whenever a party desires to give notice unto the other, notice must be given in writing sent by registered United States mail with Return Receipt Requested, addressed to the party for whom it is intended and the place last specified for giving such notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective place or giving notice, to wit:

Gadsden County:
Chairman, Gadsden County Commission
County Manager/Administrator
Post Office Box 1799
Quincy, Florida 32353

Leon County:
Chairman, Leon County Board of County Commissioners
301 South Monroe Street
Tallahassee, Florida 32301

Wakulla County:
Chairman, Wakulla County Board of County Commissioners
Post Office Box 1263
Crawfordville, Florida 32326

Workforce Plus
Chairman
325 John Knox Road, Building F-140
Tallahassee, Florida 32303

12. Performance Subject to Availability of Funds

The performance of Gadsden, Leon, and Wakulla counties of any of their obligations under this Agreement shall be subject to and contingent upon the availability of funds.

13. Survivability

If one section, subsection or part of this Agreement is found to be invalid in its compliance with the enabling Florida Statute, or is contested and successfully challenged in a court of law or other legal forum, then in any said event only that section, subsection or part that has been affected by such proceedings shall be changed or deleted and the remainder of this Agreement shall maintain its full force and effect and shall remain legally binding on all parties hereto.

THIS AGREEMENT IS ENTERED INTO ON BEHALF OF:

GADSDEN COUNTY

Chairman, Sterling Watson

Date of Commission Action

LEON COUNTY

Chairman, Jane Sauls

Date of Commission Action

WAKULLA COUNTY

Chairman, Mike Stewart

Date of Commission Action

**BIG BEND JOBS & EDUCATION
COUNCIL, INC.**

Chairman, Robert E. Barkley

APPROVED AS TO FORM:

BY: _____
Gadsden County Attorney

ATTEST: Gadsden County Clerk of the
Circuit Court

BY: _____
Gadsden County Clerk of the Circuit Court

APPROVED AS TO FORM:

Leon County Attorney

ATTEST: Leon County Clerk of the
Circuit Court

BY: _____
Leon County Clerk of the Circuit Court

APPROVED AS TO FORM:

Wakulla County Attorney

ATTEST: Wakulla County Clerk of the
Circuit Court

BY: _____
Wakulla County Clerk of the Circuit Court

APPROVED AS TO FORM:

BY: _____
Workforce Plus
Secretary, William Colledge